

**STATE OF MICHIGAN**  
**IN THE BERRIEN COUNTY TRIAL COURT – BUSINESS COURT DOCKET**  
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**ROUNDHOUSE RCJ LLC,**  
an Indiana limited liability company, and  
**JASON GATZKA,** an individual,

Plaintiffs,

**CASE NO. 2020-0203-CB**  
**HON. DONNA B. HOWARD**

v

**ROUNDHOUSE RCJ, LLC,** an Indiana  
Limited liability company, **ROGER PACE,**  
an individual, and **JASON GREENBAUM,**  
an individual,

Defendants.

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**OPINION & ORDER TRANSFERRING CASE TO BUSINESS COURT**

At a session of the Berrien County Trial Court, held  
On the 8<sup>th</sup> day of March, 2021, in the City of  
St. Joseph, Berrien County, Michigan

On or about November 23, 2020, Plaintiffs filed their Complaint as a general civil action (coded as “CZ”), essentially alleging Plaintiff Corporation, and its individual member, Plaintiff Gatzka, maintain sole ownership of a parcel of real property in Berrien County, to the exclusion of all others, including a similarly named Defendant Corporation, and its members, Defendants Pace and Greenbaum.

Subject matter jurisdiction is determined by the allegations in the pleadings. *Trost v Buckstop Lure Co, Inc*, 249 MichApp 580, 587-588; 644 NW2d 54 (2002). Statutorily, business court jurisdiction is limited to actions involving a “business or commercial dispute,” generally

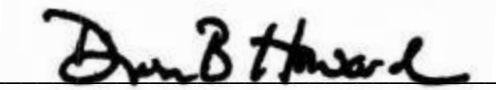
involving disputes between two or more business enterprises and/or a business enterprise and its former owners, partners, members or employees, and the like. MCL 600.8031 and 600.8035(1). Upon review of Plaintiffs' Complaint, the additional motions and/or briefs of the parties, and the Court holding a hearing on March 8, 2021, for Defendants' motion for summary disposition based in part on jurisdiction under MCR 2.116(C)(1) and (C)(4), which was denied, the Court now finds that this action qualifies as a business or commercial dispute as defined by MCL 600.8031, *et seq.*, under the jurisdiction of the specialized business court docket, rather than the general civil docket.

WHEREFORE, IT IS HEREBY ORDERED, for the foregoing reasons, that this action is transferred and reassigned from the general civil docket to the business court docket.

IT IS FURTHER ORDERED, that the Court Clerk recode this case to a "CB" case classification. All parties shall likewise utilize the CB code classification for this matter in all court filings here forward.

**IT IS SO ORDERED.**

DATED: March 8, 2021

  
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HONORABLE DONNA B. HOWARD  
Berrien County Trial Court – Civil/Business